



General Assembly

Distr.
GENERAL

A/50/117
23 March 1995

ORIGINAL: ENGLISH

Fiftieth session
Item 70 of the preliminary list*

GENERAL AND COMPLETE DISARMAMENT

Letter dated 22 March 1995 from the Permanent Representative
of Georgia to the United Nations addressed to the
Secretary-General

I have the honour to transmit herewith the text of a statement of the Head of State of the Republic of Georgia, Mr. Eduard Shevardnadze (see annex). The statement was issued on 2 March 1995, on the occasion of the anniversary of the Treaty on the Non-Proliferation of Nuclear Weapons.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly under item 70 of the preliminary list.

(Signed) Dr. P. CHKHEIDZE
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative

* A/50/50.

ANNEX

Statement issued on 2 March 1995 by the Chairman
of the Parliament, Head of State of Georgia

It has been 25 years now since the Treaty on the Non-Proliferation of Nuclear Weapons entered into force.

Defining the mutual responsibilities of nuclear and nuclear-free States, this unique document indeed played a historical role in averting a nuclear showdown during the cold war era.

Regrettable as it may be, the question of creating stable safeguards for peace and security is still on the agenda of the world community, at a time when the world is breaking out from the horrors of nuclear confrontation and is on the way to establishing the widely acclaimed principles of democracy.

In attempts to accomplish their destructive ends by force, henchmen of aggressive separatism are fuelling the flames of bloody ethnic conflicts, thus posing a serious threat to the peace of States and the world as a whole. Under the circumstances, promotion of the implementation of the Treaty undoubtedly becomes an issue of top priority.

Georgia strongly supports the unconditional and indefinite extension of the Treaty, since this step is a necessary prerequisite to the ultimate prohibition of nuclear weapons.

I have always upheld my position and still remain committed to the notion that problems of nuclear proliferation, the banning of nuclear-weapon tests and their prohibition must be resolved by the end of the twentieth century.

Eduard SHEVARDNADZE



General Assembly
Security Council

Distr.
GENERAL

A/50/118
S/1995/221
27 March 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 92 of the preliminary list*
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 22 March 1995 from the Permanent Representative of
Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter dated 22 March 1995 from the President of the Republic of Croatia, Dr. Franjo Tudjman, addressed to you.

I would kindly request your assistance in distributing this letter and its annex as a document of the fiftieth session of the General Assembly under item 92 of the preliminary list, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

* A/50/50.

ANNEX

Letter dated 22 March 1995 from the President of Croatia
addressed to the Secretary-General

I would like to state the position of the Republic of Croatia with regard to the Vance plan (S/23280, annex III) for Croatia of 1991.

As we are both aware, the Vance plan has fulfilled but one small part of its goals: apart from the - at least formal - withdrawal of the former JNA forces from the territory of Croatia, nothing else has been achieved: the heavy weapons of the "Serbian Territorial Defence Forces" are not kept under United Nations control in storage depots; United Nations Protected Areas (UNPAs) have not been demilitarized, nor have the paramilitary units within them been disbanded; the human rights of members of the non-Serbian population within the UNPAs are being constantly violated; not a single refugee has returned home, to the contrary - as you are aware - some 600 Croats and other non-Serbs have been killed and 12,000 forcibly displaced from UNPAs while under United Nations Protection Force (UNPROFOR) supervision.

I would like to emphasize that the Vance plan was an interim arrangement; it was to remain in force "in certain areas of Croatia" until an "overall settlement" or a "political solution" was found and the European Community came up with a viable peace plan. The Republic of Croatia has on many occasions reiterated that - following Security Council resolutions 815 (1993), 871 (1993), and 947 (1994), and General Assembly resolution 49/43 - the solution has clearly been defined: the negotiations on the conclusion of the conflict can take place only on the basis of respect for the territorial and legal framework of the Republic of Croatia.

The Vance plan has been overtaken by the developments on the ground. The introduction of "pink zones" (to which the Republic of Croatia has, upon your own assessment (S/24188), agreed voluntarily), the emergence of "blue zones" after the Zagreb Agreement of 29 March 1994, and the Economic Agreement have altered the overall framework for the "solution", and made the Vance plan largely irrelevant. In our view, these developments and the present situation have even rendered the Vance plan an obstacle for earnest negotiations within the Republic of Croatia.

General Assembly resolution 49/43 has determined a generic term for all of the territory of the Republic of Croatia that is not under effective control of the Croatian Government: occupied territories of Croatia. The use of the term "United Nations Protected Areas" cannot be justified any more. The "political solution" is not pending; the only aspect to be decided upon is how the occupied territories shall be reincorporated into the political and legal system of the Republic of Croatia. For Croatia, only the positive, and so far unfulfilled elements of the Vance plan and other agreements should remain as a mechanism for peace. But considering the fact that the UNPROFOR mission is withdrawing and its mandate terminating, the vehicle that launched the operation and its terminology cannot remain behind.

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Within this in mind, I have the honour to inform you that the Republic of Croatia shall continue to honour the basic principles of the Vance plan, but finds it cannot serve as a legal or political basis for a new peace-keeping mission that is about to be launched in Croatia, and subsequently considers it to be null and void.

On the basis of the above, the Republic of Croatia hereby considers that our acceptance of the Vance plan, which was transmitted to the United Nations in my letter of 6 February 1992 (S/23592, annex I), is no longer binding.

(Signed) Dr. Franjo TUDJMAN
President of the Republic of Croatia



General Assembly
Security Council

Distr.
GENERAL

A/50/119
S/1995/223
27 March 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 92 of the preliminary list*
THE SITUATION IN THE OCCUPIED
TERRITORIES OF CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 27 March 1995 from the Permanent Representative of
Croatia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter dated 27 March 1995 from the Minister for Foreign Affairs of the Republic of Croatia, Dr. Mate Granić, addressed to you.

I would kindly request your assistance in distributing this letter and its annex as a document of the fiftieth session of the General Assembly under item 92 of the preliminary list, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

* A/50/50.

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ANNEX

Letter dated 27 March 1995 from the Minister for Foreign Affairs
of Croatia addressed to the Secretary-General

I have to draw your attention to the latest in a series of grave incidents in the occupied territories of Croatia in Eastern Slavonia. According to the information available, the military forces of the "Army of Yugoslavia (AJ)" have made an incursion deep into the territory of Croatia by crossing the Danube bridge in Batina, close to the Croatian-Hungarian border, from the "Federal Republic of Yugoslavia (Serbia and Montenegro)". The troops of the Belgian Battalion (BELGBAT) of the United Nations Protection Force (UNPROFOR) in the area attempted to "persuade and negotiate" with the Serbian paramilitary forces in order to prevent this movement, but failed and were forced to withdraw and were kept in detention during the transport of military equipment.

Since the end of January 1995 one armoured company of the "AJ" has been deployed in Eastern Slavonia close to the confrontation line. Moreover, on a later date further deployments took place, including - but not limited to - one mechanized company, one platoon of tanks and one platoon of self-propelled artillery, backed with an infantry company (totalling over 900 troops). The most recent incident saw the transportation of 25 tanks, 1 artillery battery and 1 Luna-M ground-to-ground tactical missile battery, and their deployment east of Beli Manastir and north of Tovarnik. Furthermore, according to available information, part of the 11th and 12th corps of the "AJ" have been mobilized and placed on alert within the territory of the "Federal Republic of Yugoslavia (Serbia and Montenegro)", including the 453rd Mechanized Brigade in Sid. These developments pose a serious threat to the security of the Republic of Croatia and serve as an additional example of the inefficiency of the present United Nations peace-keeping operation and a proof of direct involvement of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in Croatia.

All of this once again confirms that the mechanisms of control of the international borders of Croatia - those presently outside of the effective control of the Croatian Government - are not sufficient. Furthermore, the above-mentioned grave violations of the relevant Security Council resolutions serve to focus our attention on your report to the Security Council on the implementation of a peace-keeping mandate (S/1995/222), which proposes the continuation of the existing insufficient mechanisms.

On behalf of the Government of the Republic of Croatia, I thus have to express deep dissatisfaction and grave concern with the assessments and recommendations contained in your report (S/1995/222), and in particular with the following:

(1) The report is unbalanced: it overestimates the achievements and underestimates the shortcomings of UNPROFOR's activity in Croatia, and does not realistically reflect the situation of Croatia;

(2) The report repeatedly refers to documents that are several years old, but fails to draw the attention and to take into proper consideration more

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recent developments, such as Security Council resolutions 820 (1993) and 871 (1993), and General Assembly resolution 49/43;

(3) The report draws attention to various elements of the so-called Vance plan, but apparently deliberately fails to address the most important element - the immediate disarming and disbandment of the Serbian paramilitary forces on the occupied territories; further, the report minimizes the validity of the need for the return of refugees and displaced persons, which is of paramount importance not only to a quarter of a million displaced persons but to the entire Croatian society as well;

(4) It would appear that in the eyes of the Secretariat the newly proposed mandate would not differ substantially from the expiring one;

(5) The Government of the Republic of Croatia and the local insurgent authorities on the occupied territories have implicite been placed on equal footing, since for every step of the deployment of a new mandate and force, their consent is implied;

(6) The name of the new operation, as proposed in your latest report, does not include reference to Croatia, which was one of our clearly stated requests; this is contrary to the established practice in the United Nations, since only three United Nations operations (the United Nations Truce Supervision Organization (UNTSO), the United Nations Disengagement Observer Force (UNDOF) and UNPROFOR) have hitherto been established without a clear geographic determination; the Government of the Republic of Croatia thus deems this to be highly inappropriate and unacceptable;

(7) The report does not provide for, or even suggest, the reliable control of Croatia's internationally recognized borders and therefore does not fulfil the preconditions for Croatia's acceptance of the new mandate as agreed upon in Copenhagen and Washington; furthermore, the provisions in this regard, as set forth in your report, do not reflect adequately the spirit and content of your recent talks with the President of the Republic of Croatia, Dr. Franjo Tudjman, and the subsequent statements as well.

Taking into account the above, on behalf of the Republic of Croatia, I have the duty to inform you and the members of the Security Council that the Republic of Croatia shall not accept the new mandate of the new peace-keeping force on its territory after the present mandate of UNPROFOR in Croatia terminates in accordance with our letters of 12 January 1995 (A/50/64-S/1995/28) and 18 January 1995 (S/1995/56) unless the following conditions are met:

(1) The name of the new operation contains the word Croatia, explicitly confirming the fact that the new operation is to be carried out in its entirety on the sovereign territory of the Republic of Croatia;

(2) The mechanisms of the active control of the international borders of the Republic of Croatia in the parts that are not at this moment accessible to the Croatian authorities by the new force are negotiated in detail on the basis of relevant Security Council resolutions and have gained the prior formal approval of the Government of Croatia; thus the mechanisms for active control of

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A/50/119
S/1995/223
English
Page 4

Croatia's international borders under the new mandate must be clearly established in respect of imports, exports and all transshipments, consistent with paragraph 12 of resolution 820 (1993).

In this regard, and in order to facilitate the negotiations, I have the honour to draw your attention to the letter dated 22 March 1995 from the President of the Republic of Croatia addressed to you (A/50/119-S/1995/23).

(Signed) Mate GRANIĆ



General Assembly

Distr.
GENERAL

A/50/120
27 March 1995
ENGLISH
ORIGINAL: RUSSIAN

Fiftieth session
Item 81 of the preliminary list*

MAINTENANCE OF INTERNATIONAL SECURITY

Letter dated 22 March 1995 from the Permanent
Representative of Kazakhstan to the United
Nations addressed to the Secretary-General

As the representative of the State in which a meeting of the Council of Heads of State of the Commonwealth of Independent States (CIS) was held on 10 February 1995, I have the honour to transmit herewith the text of a Memorandum on the maintenance of peace and stability in the Commonwealth of Independent States, signed by the Heads of State of CIS in Alma Ata on 10 February 1995 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under item 81 of the preliminary list.

(Signed) A. ARYSTANBEKOVA
Ambassador
Permanent Representative
of the Republic of Kazakhstan
to the United Nations

* A/50/50.



Annex

Memorandum on the maintenance of peace and stability
in the Commonwealth of Independent States, signed by
the Heads of State of the Commonwealth of Independent
States in Alma Ata on 10 February 1995

The States members of the Commonwealth of Independent States,

Guided by the historically established ties between them,

In the belief that the existence of unresolved conflicts between States members of the Commonwealth of Independent States is contrary to the fundamental principles on which the Commonwealth is based,

Expressing their commitment to the purposes and principles proclaimed in the Charter of the United Nations, the Conference on Security and Cooperation in Europe, the Charter of the Commonwealth of Independent States and the documents adopted within the framework of the Commonwealth, and considering that the maintenance of peace and stability in mutual relations between States is an essential condition for the functioning of the Commonwealth of Independent States, ensuring the economic, social and political development both of each State and of the Commonwealth as a whole,

Recognizing that the maintenance of peace both throughout the Commonwealth and in each of its States, within the generally recognized frontiers, is in the interests of the peoples of those States,

Declares as follows:

1. The States members of the Commonwealth shall refrain from exerting military, political, economic or any other form of pressure on one another.
2. The States which have signed this Memorandum intend, in accordance with their national legislation, to put a stop to the establishment and activities in their territory of organizations, groups or individuals directed against independence, territorial integrity and the inviolability of frontiers or towards the exacerbation of international relations or infringement from outside on the State structure of the States which have signed this Memorandum.
3. The States support the inviolability of one another's existing frontiers and are opposed to any acts which undermine their stability, and they shall settle all disputes arising on questions relating to frontiers and territories solely by peaceful means.
4. In the event of a situation arising which affects the security interests of any State which has signed this Memorandum, that State may request the other States members of the Commonwealth for an urgent consultation.
5. The States shall refrain from any direct or indirect interference in the internal affairs of another State member which has signed this Memorandum.

6. The States shall refrain from participation in alliances or blocs directed against any State member of the Commonwealth.

7. The States members of the Commonwealth shall, in their territory and in accordance with their national legislation and international standards, take measures to put a stop to any manifestation of separatism, nationalism, chauvinism and fascism.

They shall promote the dissemination of objective information about the social and political processes in the other States members of the Commonwealth.

8. The States bind themselves not to support separatist movements and separatist regimes in the territory of other States members if they arise; not to establish political, economic and other relations with them; not to allow them to use the territory and communications of other States members of the Commonwealth; and not to offer them economic, financial, military or other assistance.

9. The States shall support one another's efforts towards the further strengthening of confidence- and security-building measures between States members of the Commonwealth of Independent States.

Done at Alma Ata on 10 February 1995, in one original copy in the Russian language. The original copy shall be deposited in the Archives of the Government of the Republic of Belarus, which shall transmit a certified copy to each State which has signed this Memorandum.

For the Republic of Armenia
(Signed) L. TER-PETROSSIAN*

For the Azerbaijani Republic
(Signed) H. ALIEV

For the Republic of Belarus
(Signed) A. LUKASHENKO

For the Republic of Georgia
(Signed) E. SHEVARDNADZE

For the Republic of Kazakhstan
(Signed) N. NAZARBAEV

For the Kyrgyz Republic
(Signed) A. AKAEV

For the Republic of Moldova
(Signed) M. SNEGUR

For the Russian Federation
(Signed) B. YELTSIN

For the Republic of Tajikistan
(Signed) E. RAKHMONOV

For Turkmenistan
(Signed) S. MURADOV

For Ukraine
(Signed) L. KUCHMA

For the Republic of Uzbekistan
(Signed) I. KARIMOV

* Taking into account the separate opinion of Armenia and excluding paragraphs 7 and 8. L. Ter-Petrossian.